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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,329	12/22/2000	Hans Hansen	367. 39226X00	5206
20457	7590	09/20/2004	EXAMINER	
ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-9889			CHO, HONG SOL	
			ART UNIT	PAPER NUMBER
			2662	

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/674,329

Applicant(s)

HANSEN ET AL.

Examiner

Hong Cho

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12-22-2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. New corrected drawing is required in this application because there are no legends for Figures 1 and 2. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Specification

2. The abstract of the disclosure is objected to because it includes the title of the invention. Correction is required. See MPEP § 608.01(b). The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code on page 2, line 29 and on page 10, line 2. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 7, and 11 are rejected under 35 U.S.C. 102(e) as being unpatentable over Subrahmanyam (U.S. 5732214).

For the purpose of examination, “a communication terminal identification number” is interpreted by Examiner to mean “a user-specific personal identification number (PIN)” and “server” to mean “archive node (figure 7, element 710)”.

Re claims 1, 7, and 11, Subrahmanyam discloses wireless communications between customers and archive nodes (*handling wireless sessions between a wireless communication terminal and a corresponding server, figure 1*). Subrahmanyam discloses a mobile unit initiating a wireless session by requesting a specific data retrieval service to archive nodes (*means in the communication terminal for initiating a session by forwarding data request to the server with an identification and communication terminal identification number provided by the server, column 12, lines 50-52*). Subrahmanyam discloses the server receiving the data request with PIN and retrieve user profile information from the database of the server based on PIN (*processing means for the server to recall user profile information from an associated database memory corresponding to said communication terminal identification number when receiving a data request, column 11, lines 14-16; column 12, lines 54-59; figure 7*). Subrahmanyam discloses the session manager retrieving the selected files and invoking the file-processing server to perform any required processing based on information in subscriber

profiles and transmits the file to the requesting customer (*the server replying the request by forwarding the requested data in the format defined by the user profile information, column 12, lines 50-61*).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 5, 6, 8, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Subrahmanyam.

Re claims 2, 5, 6, 8, and 12, Subrahmanyam discloses the database server containing a subscriber profile for each subscriber with the subscriber's preferred file format, protocols, PINs or access codes (*deriving the user profile information from this header and storing the header associated with said communication terminal identification number, column 11, lines 13-19*). Subrahmanyam fails to teach explicitly receiving a request containing a header to indicate the data format that will be handled by the communication terminal. However, it is well known in data communications that packets are consisted of a header and a payload, where a header contains signaling information and a payload contains data, respectively. It would have been obvious to one having

ordinary skill in the art at the time the invention was made to add user profile information into the header of a given packet to convey information on file formats and protocols

Claims 3-4, 9-10, and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Subrahmanyam in view of Eggleston et al. (U.S. 5,958,006), hereinafter referred to as Eggleston.

Re claims 3-4, 9-10, and 13-16, Subrahmanyam discloses managing database information (column 14, lines 18-22) but fails to disclose explicitly the server with a timer and processing means for setting a period of time in which the user profile information is stored in the database memory and deleting the user profile information from the database memory upon expiration of said period of time. However, Eggleston discloses the communication server (figure 2, element 220) including a data transfer manager or controller having a virtual session manager, memory stores for storing active client profile information as a client object, and a timer which is used to remove the client object including client parameters (*user profile information*, column 36-42) when a predetermined period of time is expired (*the server deletes the user profile information from the database memory upon expiration of said period of time*, column 5, lines 42-47; column 7, lines 42-45). It would have been obvious to one having ordinary skill in the art at the time the invention was made to include a timer in Subrahmanyam's server as taught by Eggleston (column 7, lines 31-34) to avoid inefficient use of resources by not delivering data when there is no data request from the client.


Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - US Patent (6065120) to Laursen et al. discloses method for self-provisioning a rendezvous to ensure secure access to information in a database from multiple devices
 - US Patent (6101531) to Eggleston et al. discloses system for communicating user-selected criteria filter prepared at wireless client to communication server for filtering data transferred from host to said wireless client
 - US Patent (5764899) to Eggleston et al. discloses method for communicating an optimized reply
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 571-272-3087. The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3088.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hong Cho
Patent Examiner
9-14-2004


RICKY NGO
PRIMARY EXAMINER
9/17/04